

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Suits – High Court of A.P. orders dated 18.12.2007 in W.P.No.41 of 2006 filed by Sri B. Bala Chandra Mouli, Junior Lecturer, Bandla Bapaiah Hindu Junior College, Vetapalem, Prakasam Dist. - Payment of arrears of salary from 16.7.2002 to 1.1.2004 – Orders – Issued.

HIGHER EDUCATION (IE-II) DEPARTMENT

G.O.Rt.No. 117

Dated 19.2.2009.
Read the following:-

1. High Court of A.P. orders dated 18.12.2007 in W.P.No.41 of 2006.
2. From the Director of Intermediate Education, Andhra Pradesh, Hyderabad Lr.Rc.No.IB-2/2776/2003, dated 26.6.2008.
3. Govt. Memo.No.1185/IE-II(1)/2008-2, dated 18.8.2008 & 5.11.2008.
4. From the Director of Intermediate Education, Andhra Pradesh, Hyderabad Lr.Rc.No.ADNMN.I-B-2/2726/2007, dated 16.12.2008.

ORDER:

The Director of Intermediate Education, Andhra Pradesh, Hyderabad in his letters 2nd and 4th read above reported that permission was accorded to fill up aided vacant post of Junior Lecturer in B.B.H. Junior College, Vetapalem. The management of the college has conducted DPC on 15-7-2002 and selected Sri D. Balachandramouli who was working as Grade-I Pandit as Junior Lecturer in Telugu under the same management and the appointment was approved by the Secretary, Board of Intermediate Education in his Rc.No.4827/E2-4/2003, dated 3.7.2003. The Correspondent of the college has submitted proposals to admit him into Grant-in-Aid against the sanctioned post of Junior Lecturer. However, the individual was admitted to Grant-in-Aid w.e.f. **2.1.2004** only since instructions were issued in Circular Rc.No.Admn.1-1/328/2003, dated 7.1.2003 directing that no appointment orders should be issued to the selection candidates without approval of the appointment by the competent authority until they are admitted to Grant-in-Aid.

2. Sri D. Balachandramouli has made a representation with a request to pay his salary from 16-7-2002 to **1.1.2004** and the same was rejected by DIE's Proc. Memo.No.Admn.IB-2/2776/2004, dated 28.11.2005.

3. Aggrieved by the above orders, the individual has filed W.P.No.41/2006 in Hon' ble High Court of A.P. to set aside the above orders and direct to release salary to the petitioner w.e.f. 16.7.2002.

4. The Hon' ble High Court of A.P. in their Judgment in W.P.No.41/06 dated 18.12.2007 held that promotions were approved prior to the issuance of circular dated 7.11.2003 and therefore, the said circular has no application to the case of the petitioner and the case of petitioner ought to have been considered on par with the case of Sri G.R. Vara Prasada Rao who was also promoted as Junior Lecturer in Mathematics in the said college on the same date. The Hon' ble High Court while disposing of the above W.P. in it's orders dated 18.12.2007 have passed the following orders:-

"the impugned orders dated 28.11.2005 is set aside and the respondents are directed to consider releasing of the salary of the petitioner against aided vacancy of Lecturer with effect from 16.7.2002, i.e. the date of his promotion and pass appropriate orders as per the law within 4 weeks from the date of receipt of a copy of the order."

5. The Director of Intermediate Education, Andhra Pradesh, Hyderabad has requested the Government to issue necessary orders for releasing the salary amount of Rs.2,41,335 to the petitioner for the period from 16.7.2002 to 1.1.2004.

6. After careful examination of the matter and keeping in view of the orders of Hon' ble High Court in W.P.No.41 of 2006, dated 18.12.2007, Government hereby order that Sri D. Balachandramouli be admitted to Grant-in-Aid as Junior Lecturer in

Telugu in BBH Junior College, Vetapalem, Prakasam District w.e.f. 16.7.2002 i.e. the date of promotion as Junior Lecturer in Telugu on par with Sri G.R. Vara Prasada Rao, Junior Lecturer, Mathematics in the said college and his salary for the period from 16.7.2002 to 1.1.2004 be released.

7. The Director of Intermediate Education, A.P., Hyderabad is requested to take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Intermediate Education, Andhra Pradesh, Hyderabad.

//Forwarded: By order//

SECTION OFFICER